

## IFB 200-10-203

### Questions and Answers

#### **Question 1:**

We recently received notice of the above referenced Invitation for Bids for prevailing wage compliance services. In reviewing the minimum qualifications described on page 10, it appears that the State anticipates a contract with a specialized labor consulting firm. Would the State be open to the possibility of broadening the prospective pool of bidders and considering others who may have appropriate experience?

As a public accounting firm, we specialize in local government audits. Both of our Partners are experienced in Single Audits under OMB Circular A-133, which includes tests of compliance of Davis-Bacon provisions, where applicable. Other firms like us that specialize in governmental audits may also have the appropriate expertise for this project. However, because our practice and our careers have been focused on auditing, we do not have five years of experience in labor compliance programs specifically or in conducting training that is specifically applicable to labor requirements.

Although my business partner does have over 8 years of experience in A-133 compliance audits, those audits included many other areas of compliance as well as Davis-Bacon, where applicable. I believe we could provide the services the State is seeking, but with the minimum requirements as stated we are unable to submit a bid.

In addition, could you clarify whether the minimum of 5 years applies to the Partners or to the firm itself? In the accounting profession, it is the experience of the personnel much more than the experience of the firm as a whole that drives the quality clients receive. In fact, new firms are often formed by experienced CPAs who depart larger, more established firms and take their knowledge with them. This creates an opportunity for clients like the State to benefit from big firm knowledge at a price that is more reasonable.

In addition, the State has demonstrated its commitment to small businesses through a system of procurement preference. However, if the State's intention is to restrict this procurement to businesses in place longer than five years, small businesses are disproportionately impacted. I believe that the State rightly seeks to ensure quality, but, as I noted above, quality is much more a factor of the people who actually work on the engagement than of the firm they work for.

In fact, a new firm with experienced CPA partners might be just the right fit for the State's needs. Since pleasing clients is especially important to new business owners as they build their client base, the State could stand to benefit from the unparalleled service offered by a new business to an important client. However, the State wouldn't need to accept a new firm purely on faith. The experience of the firm's partners could always be verified by contacting their references, even if those references worked with the partners while they were with another firm.

I encourage you to broaden the requirements to allow participation by more firms who would be able to meet the State's needs but are excluded by the current specifications.

Please let me know if you have any questions. I appreciate receiving a copy of this bid.

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### **Energy Commission Response to Question 1:**

As stated at page 10 of IFB #200-10-203 (IFB), in order to qualify for consideration under the IFB all bidders must certify that they have five (5) years of experience performing specific labor compliance functions for public entities and/or contractors. In order to satisfy the requisite level of experience, bidders may rely upon the experience of their firm or key personnel. In addition, bidders must certify that they have obtained approval by the California Department of Industrial Relations (DIR) as a third party program offering labor compliance services and include the DIR labor compliance ID number and date of approval with their bid.

In response to your question regarding the specific eligibility of your firm, five years of experience conducting A-133 compliance audits would not be sufficient, standing alone, to satisfy the minimum requirements of the IFB.

### **Question 2:**

Of the approximately 500 lower-tiered subcontractors mentioned in the solicitation, does the Energy Commission know the number of or percentage of the subcontractors that are a signatory to/with a trade union?

### **Energy Commission Response to Question 2:**

As stated in the IFB, the Energy Commission (Energy Commission) is currently seeking prevailing wage support for approximately 500 lower-tier subcontracts (subcontracts). The Commission expects that these subcontracts will be entered into between recipients of the Commission's ARRA funded programs and subcontractors that are primarily responsible for installing energy efficiency measures on residential, commercial, and municipal buildings. Accordingly, the Commission is not a party to these subcontracts for retrofit services, and thus, has not been provided specific information about these subcontractors, such as whether they are signatories to or with trade unions.

### **Question 3:**

What types of projects is the ARRA funding; i.e. roads & highways, schools, etc?

### **Energy Commission Response to Question 3:**

Please refer to the Guidelines for the Commission's Energy Efficiency and Conservation Block Grant (EECBG) Program and the Guidelines for the State Energy Program (SEP) included in the Reference Documents section of the IFB, available online at [http://www.energy.ca.gov/contracts/IFB\\_200-10-203/Reference\\_Documents/](http://www.energy.ca.gov/contracts/IFB_200-10-203/Reference_Documents/), for a general description of the types of projects receiving funding under the Commission's ARRA funded programs.

### **Question 4:**

In the SOW deliverables, it is mentioned that there will be approximately 500 subcontracts to be reviewed/approved; how many subcontracts have currently received ARRA funding?

### **Energy Commission Response to Question 4:**

Most, if not all, of the Commission's ARRA funding awards that are pertinent to the IFB have been awarded.

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#### **Question 5:**

What are the locations and contracted amounts for the California projects that have been ARRA funded?

#### **Energy Commission Response to Question 5:**

The Commission is receiving \$314.5 million in ARRA funding for energy-related projects and rebates in California. The Commission has made ARRA funding awards throughout the state. This information is publically available on the Commission's website.

#### **Question 6:**

Has the Energy Commission identified future projects for funding? If so, what are the locations and anticipated contract values?

#### **Energy Commission Response to Question 6:**

As stated in response to Question 4, most, if not all, of the Commission's ARRA funding awards that are pertinent to the IFB have been awarded.

#### **Question 7:**

In the SOW deliverables, it says that the Contractor may be directed to provide service to recipients "in-person"; with the potential for approximately 500 subcontracts, will the Contractor be reimbursed for travel costs?

#### **Energy Commission Response to Question 7:**

To the extent that travel is requested and approved by the assigned Commission Agreement Manager under the contract resulting from the IFB, all such travel expenses will be reimbursed in accordance with the terms and conditions of the contract.

#### **Question 8:**

It is our understanding that current ARRA funding requires a minimum of two site interviews. These on-site interviews are for each contractor, and are to take place within the first two weeks of their respective start date and within the final two weeks of their respective end date. Do you anticipate our support services in this area?

#### **Energy Commission Response to Question 8:**

No.

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**Question 9:**

Also a requirement of ARRA funding is the task of data entry and reporting the “full-time equivalent” (FTE) calculations. Do you anticipate our support services in this area of reporting?

**Energy Commission Response to Question 9:**

No.

**Question 10:**

Of the 500 subcontracts mentioned in the solicitation, does this represent your estimated number of contractors the Energy Commission will work with throughout the entire two year contract period, or are these contractors already under contract? Also, does the 500 subcontracts represent “prime contractors” with a possibility of subcontractors beneath these primes; obviously representing a larger pool?

**Energy Commission Response to Question 10:**

The estimate of 500 subcontracts reflects the approximate number of subcontracts that will be covered by the scope of work for the contract resulting from the IFB, and includes all applicable lower-tier contracts, i.e., agreements with prime contractors and all lower-tier subcontractors that are engaged to complete the objectives of the Commission's ARRA funded agreements.

**Question 11:**

Understanding that the projects can be located throughout the entire state, what is the anticipated percentage split between Southern and Northern California?

**Energy Commission Response to Question 11:**

The Energy Commission has not previously compiled this information, and thus, it is not currently available.

**Question 12:**

Is there a page limit for the proposal submission?

**Energy Commission Response to Question 12:**

No. There is no page limit.

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**Question 13:**

Is the proposal response to be single/double-sided?

**Energy Commission Response to Question 13:**

Although there is no formatting requirement, the Energy Commission suggests that bids be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages should be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred. Binders are discouraged.

**Question 14:**

Does each copy of the proposal response have to be separately sealed?

**Energy Commission Response to Question 14:**

Only the cost bids need to be separately sealed.

**Question 15:**

Do you want the proposal response to be in 3-ring binders with tabs or spiral bound with/without tabs?

**Energy Commission Response to Question 15:**

Binders are discouraged. Spiral or comb binding is preferred and tabs are encouraged.